

Message Text

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PAGE 01 VIENNA 01597 171730Z
ACTION L-03

INFO OCT-01 ARA-10 EUR-12 ISO-00 IO-13 OES-07 PM-05
ACDA-12 CIAE-00 INR-10 NSAE-00 EB-08 NRC-05
SOE-02 DODE-00 SS-15 SP-02 CEQ-01 SSO-00 NSCE-00
INRE-00 /106 W

-----073732 171734Z /46

O 171719Z FEB 78

FM AMEMBASSY VIENNA

TO SECSTATE WASHDC IMMEDIATE 5234

INFO AMEMBASSY BELGRADE IMMEDIATE

AMEMBASSY BUENOS AIRES IMMEDIATE

AMEMBASSY LIMA IMMEDIATE

USDOEHQ WASHDC IMMEDIATE

USDOEHQ GERMANTOWN IMMEDIATE

C O N F I D E N T I A L VIENNA 01597

USIAEA

DEPT PASS IO/SCT

BELGRADE PASS NOSENZO

DOE PASS AMMONS AND SLAWSON, IA

E.O. 11652: GDS

TAGS: PARM, MNUC, IAEA, TECH, AR, PE, US

SUBJECT: U.S. FUEL FOR ARGENTINA REACTOR LOAN TO PERU

REF: (A) VIENNA 01383, (B) STATE 036554

1. ARGENTINE REP INDICATED THAT GOA IS WILLING TO ACCEPT
UNDERTAKING PREFERRED BY U.S. IDENTICAL UNDERTAKING
WILL APPEAR IN BOTH PROJECT AGREEMENTS AND IN SUPPLY
AGREEMENT.

2. PROPOSED LANGUAGE OF SECTION 2 ACCEPTED BY GOA.

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3. GOA PROPOSES FOLLOWING REVISED VERSION OF OPTION (B)
PROPOSED BY U.S. PARA 3 REFTEL B FOR ARTICLE I, SECTION
3: "THE GOVERNMENT OF THE REPUBLIC OF PERU UNDERTAKES
THAT THE SUPPLIED MATERIAL SHALL NOT BE RETRANSFERRED
BEYOND ITS JURISDICTION UNLESS OTHERWISE AGREED TO BY
THE PARTIES TO THIS AGREEMENT. THE GOVERNMENT OF THE
UNITED STATES OF AMERICA SHALL, UPON REQUEST OF THE

GOVERNMENT OF THE ARGENTINE REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF PERU AND FOLLOWING CONSULTATIONS WITH THE AGENCY, APPROVE THE RETURN OF THE SUPPLIED MATERIAL TO ARGENTINA, PROVIDED THAT UPON RETURN TO ARGENTINA THE MATERIAL SHALL BE SUBJECT TO THE APPLICABLE ARGENTINA-UNITED STATES AGREEMENT FOR COOPERATION."

4. NOTE THAT GOA PREFERS DELETION OF LAST SENTENCE OF U.S.-PROPOSED OPTION (B) RE "BUY-BACK". ARGENTINA MAINTAINS THAT ARTICLE 13.B OF U.S./ARGENTINA BILATERAL AGREEMENT FOR COOPERATION COVERS BUY-BACK OF ALL MATERIALS OF U.S. ORIGIN SUBJECT TO THAT AGREEMENT IN THE EVENT OF TERMINATION. THEY THEREFORE SEE NO RPT NO REASON TO INCLUDE "BUY-BACK" PROVISION ONLY FOR THIS PARTICULAR MATERIAL. MISSION IS NOT RPT NOT CERTAIN THAT ARGENTINE INTERPRETATION OF ARTICLE 13 OF U.S.-ARGENTINA BILATERAL IS ACCURATE. IN ANY EVENT, WE HAVE INFORMED ARGENTINE REP THAT WE ARE WILLING TO DROP THAT LANGUAGE FROM TEXT OF SUPPLY AGREEMENT, WITHOUT PREJUDICE, HOWEVER, RE NEED TO INCLUDE SIMILAR PROVISION IN U.S.-ARGENTINA EXCHANGE OF NOTES.

5. DELETION OF PHRASE "PROVIDED THAT 18 MONTHS AFTER THE TRANSFER OF THE SUPPLIED MATERIAL TO PERU," MAY BE MORE DIFFICULT FOR U.S. TO ACCEPT, AND WE HAVE SO INFORMED ARGENTINE REP. HE SUGGESTED, HOWEVER, THAT THIS BE DISCUSSED WITH KEY STAFF FROM BOTH COUNTRIES THIS WEEKEND
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AND HOPEFULLY RESOLVE THE MATTER.

6. MISSION WILL REPORT FURTHER DEVELOPMENTS FOLLOWING ADDITIONAL CONSULTATIONS.

7. "PROJECT AGREEMENTS" IN PARA 1 SHOULD READ "PROJECT AGREEMENT". LABOWITZ

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Message Attributes

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Draft Date: 17 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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Disposition History: n/a
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Executive Order: GS
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